

# HOUSE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-NINTH LEGISLATURE

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**FORTIETH LEGISLATIVE DAY**  
**FRIDAY, FEBRUARY 15, 2008**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused – Boe, Harwood, Moyle, Smith(24),  
Trail. Total – 5.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Morgen Ellis, Page.

### Approval of Journal

February 15, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-ninth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 13, 2008

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 341, H 343, H 344, H 345, H 346, and H 424**

As Always - Idaho, "Esto Perpetua"  
/s/ C. L. "Butch" Otter  
Governor

February 14, 2008

Mr. Speaker:

I return herewith enrolled **H 355, H 361, and H 362** which have been signed by the President.

WOOD, Secretary

Enrolled **H 355, H 361, and H 362** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### Report of Standing Committees

February 15, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **HJR 2, HCR 44, H 531, and H 532**.

CLARK, Chairman

**HJR 2** was referred to the Resources and Conservation Committee.

**HCR 44** was filed for second reading.

**H 531** was referred to the State Affairs Committee.

**H 532** was referred to the Education Committee.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 430 and H 359**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 430 and H 359**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

February 11, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 418** and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

**H 418** was placed on General Orders for consideration.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 486 and H 487** and recommend that they do pass.

TRAIL, Chairman

**H 486 and H 487** were filed for second reading.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1322** and recommend that it do pass.

LOERTSCHER, Chairman

**S 1322** was filed for second reading.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration **H 502** and **H 384** and recommend that they do pass.

NONINI, Chairman

**H 502** and **H 384** were filed for second reading.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 463**, **H 526**, and **S 1307** and recommend that they do pass.

WOOD, Chairman

**H 463**, **H 526**, and **S 1307** were filed for second reading.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration **H 483** and report it back with amendments attached to be placed on General Orders for consideration.

WOOD, Chairman

**H 483** was placed on General Orders for consideration.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **H 443**, **H 466**, and **H 508** and recommend that they do pass.

BLOCK, Chairman

**H 443**, **H 466**, and **H 508** were filed for second reading.

February 14, 2008

Mr. Speaker:

We, your COMMITTEE ON LOCAL GOVERNMENT, report that we have had under consideration **S 1274** and recommend that it do pass.

BARRETT, Chairman

**S 1274** was filed for second reading.

**H 490** was referred to the Revenue and Taxation Committee from the Business Committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 533**

**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO INCOME TAX CREDITS AND REFUNDS; AMENDING SECTION 63-3072, IDAHO CODE, TO PROVIDE THAT BALANCES EXISTING AFTER THREE YEARS BUT WITHIN TEN YEARS OF THE DUE DATE OF THE RETURN SHALL BE CREDITED ONLY AGAINST TAX, INTEREST AND PENALTIES DUE.

**HOUSE BILL NO. 534**

**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO LOCAL LAND USE PLANNING; AMENDING CHAPTER 65, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-6511B, IDAHO CODE, TO PROVIDE FOR THE DEVELOPMENT OF AFFORDABLE WORKFORCE HOUSING.

**HOUSE BILL NO. 535**

**BY REVENUE AND TAXATION COMMITTEE**

**AN ACT**

RELATING TO LOCAL IMPROVEMENT DISTRICTS; AMENDING SECTION 50-1722, IDAHO CODE, TO PROVIDE THAT NO BONDS, REGISTERED WARRANTS OR INTERIM WARRANTS MAY BE ISSUED UNLESS SUCH ISSUANCE IS APPROVED BY SIXTY-SIX AND TWO-THIRDS PERCENT OR MORE OF THE REGISTERED VOTERS WITHIN A LOCAL IMPROVEMENT DISTRICT VOTING ON THE QUESTION AT AN ELECTION CALLED FOR THAT PURPOSE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1725, IDAHO CODE, TO PROVIDE THAT NO BONDS, REGISTERED WARRANTS OR INTERIM WARRANTS MAY BE REISSUED UNLESS SUCH REISSUANCE IS APPROVED BY SIXTY-SIX AND TWO-THIRDS PERCENT OR MORE OF THE REGISTERED VOTERS WITHIN A LOCAL IMPROVEMENT DISTRICT VOTING ON THE QUESTION AT AN ELECTION CALLED FOR THAT PURPOSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 536**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO STATE GOVERNMENT AND THE DEPARTMENT OF ADMINISTRATION; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5711F, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO DIRECT THE DEPARTMENT OF ADMINISTRATION TO COVER MURALS IN THE CAPITOL ANNEX.

**HOUSE BILL NO. 537**

**BY APPROPRIATIONS COMMITTEE**

**AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR VARIOUS PROGRAMS FOR FISCAL YEAR 2008; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF CORRECTION

FOR OFFENDER PROGRAMS FOR FISCAL YEAR 2008; AMENDING SECTION 8, CHAPTER 217, LAWS OF 2007, TO REVISE REAPPROPRIATION PROVISIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 538**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE TAX COMMISSION FOR FISCAL YEAR 2008; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 539**  
**BY APPROPRIATIONS COMMITTEE**  
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2008; AND DECLARING AN EMERGENCY.

**H 533, H 534, H 535, H 536, H 537, H 538, and H 539** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**HJM 6, H 375, and H 442**, by Health and Welfare Committee, were read the second time by title and filed for third reading.

**H 460**, by Local Government Committee, was read the second time by title and filed for third reading.

**S 1337**, by Local Government and Taxation Committee, was read the second time by title and filed for third reading.

**H 432, H 433, H 498, H 474, and HJM 8**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

**H 350**, by State Affairs Committee, was read the second time by title and filed for third reading.

**H 379, H 452, H 453, H 454, H 455, and H 492**, by Business Committee, were read the second time by title and filed for third reading.

**S 1261, S 1262, S 1248, and S 1288**, by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

Mr. Bedke asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Monday, February 18, 2008. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Bedke moved that the House adjourn until 10:00 a.m., Monday, February 18, 2008. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 10:50 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk